

Remarks:

Applicant has carefully studied the final Office Action mailed 05/18/2004, having a shortened statutory period for response set to expire 08/18/2004. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by centered headings and numbered paragraphs that correspond to the centered headings and paragraph numbering employed by the Office, to ensure full response on the merits to each finding of the Office.

Election/Restrictions

1. Nonelected claims 4-9 are cancelled.

Terminal Disclaimer

2. Applicant thanks the Office for reviewing and recording the Terminal Disclaimer filed 02/20/2004.

Claim Objections

3. Claim 3 stands objected to because the limitation "beans" should be "beads." Applicant has corrected this typographical error.

Claim Rejections – 35 USC § 103

4. Applicant acknowledges the quotation of 35 U.S.C. § 103(a).
5. Claims 1 and 2 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Faris. Claims 1 and 2 are therefore cancelled.

Allowable Subject Matter/Reasons For Allowability

7. Applicant acknowledges the allowability of claim 3 upon correction of administrative errors. Such errors are corrected in claim 3, currently amended.
8. Applicant agrees with the Office's statement of reasons for allowability.

Response to Arguments

9. Applicant has complied with all formal requirements and none of said formal requirements are traversed.

Conclusion

9. Applicant agrees that the prior art made of record and not cited is not more pertinent to the invention than the art cited.

If a Notice of Allowance cannot be entered at this time for any reason, a telephone call to the undersigned at (727) 507-8558 is requested. Applicant thanks the Office for its careful and astute examination of this important patent application.

Very respectfully,

SMITH & HOPEN

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Dated: July 16, 2004

pc: Mr. Michael G. Cousin

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment AF, including Introductory Comments, Amendments to the Claims, and Remarks is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3677, Attn: Katherine W. Mitchell, (703) 872-9326 on July 16, 2004.

Dated: July 16, 2004

Shelley Butz
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